

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SAMUEL ARTHUR SABET,

Plaintiff,

-against-

S.D.N.Y., et al.,

Defendants.

22-CV-7979 (LTS)

ORDER OF DISMISSAL
UNDER 28 U.S.C. § 1651

LAURA TAYLOR SWAIN, Chief United States District Judge:

On January 31, 2008, Plaintiff was barred from filing any new actions without first obtaining from the Court leave to file. *See S.A. Godowner v. Footlocker, Inc.*, No. 07-CV-11042 (KMW) (S.D.N.Y. Jan. 31, 2008), *appeal dismissed*, No. 08-1068-cv (2d Cir. May 29, 2008).¹ Plaintiff files this new case *pro se* and applies to proceed *in forma pauperis* (IFP), but he has not sought leave from the Court to file this action. This action is therefore dismissed without prejudice for Plaintiff's failure to comply with the January 31, 2008, judgment. Even if Plaintiff had complied with the prefiling injunction, this suit is not a departure from Plaintiff's pattern of frivolous and non-meritorious litigation. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962). Judgment shall enter.

Dated: September 19, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge

¹ In the action in which the bar order issued, Plaintiff brought suit under the name "S.A. Godowner" against Footlocker, Inc. *See S.A. Godowner*, No. 07-CV-11042 (KMW). Plaintiff has previously sued Footlocker, Inc., using both the name Sabet and the name Godowner. *See Sabet v. Doe, Owner of Wordmark "Footlocker Inc."*, No. 07-CV-5882 (DAB) (S.D.N.Y. June 21, 2007) (dismissed for failure to state a claim on which relief may be granted); *Godowner v. Footlocker, Inc.*, No. 08-CV-0338 (KMW) (S.D.N.Y. Jan 15, 2008) (voluntarily withdrawn).